

FILED 09 SEP 10 10:25AM '09 USDC ORP

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STERLING SAVINGS BANK,

Plaintiff,

Civil No. 09-404-AC

v.

ORDER

CITADEL DEVELOPMENT COMPANY,
INC.; J. KENYON EAGON; HEATHER
EAGON; EAGON CAPITAL VENTURES,
INC.; MARK S. DANE; CLAUDIA P.
DANE,

Defendants.

HAGGERTY, District Judge:

Magistrate Judge Acosta has issued a Findings and Recommendation [39] in this action.

The Magistrate Judge recommends granting defendants' Motion to Strike [19] and defendants' Motion to Dismiss Plaintiff's Claim for Appointment of Receiver [16] and denying plaintiff's Motion to Appoint a Receiver [9]. No objections were filed, and the case was referred to this court.

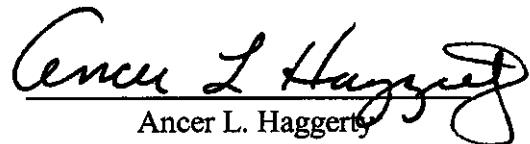
The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate Judge. *Campbell v. United States Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. This court adopts the Findings and Recommendation in its entirety.

CONCLUSION

The Findings and Recommendation [39] is adopted. Defendants' Motion to Strike [19] and defendants' Motion to Dismiss Plaintiff's Claim for Appointment of Receiver [16] are GRANTED and plaintiff's Motion to Appoint a Receiver [9] is DENIED without prejudice.
IT IS SO ORDERED.

Dated this 10 day of September, 2009.



Ander L. Haggerty
United States District Judge